

**STATE'S WITNESS - CAROLINE HOFFER - (DIRECT)**

1 Thank you.

2 THE COURT: Call your first witness.

3 MS. BECKER: Thank you, Judge.

4 MR. WILLIAMS: State would call Caroline  
5 Hoffer.

6 THE COURT: Would you raise your right hand,  
7 please?

8 (The witness was sworn.)

9 THE WITNESS: I do.

10 THE COURT: Take the witness stand, please.

11 **CAROLINE HOFFER**

12 **called on behalf of the State, having been first duly**  
13 **sworn, testified as follows:**

14 **DIRECT EXAMINATION**

15 BY MR. WILLIAMS:

16 Q Would you please introduce yourself to the jury?

17 A My name is Caroline Hoffer.

18 MR. ZOOK: Your Honor, excuse me. We ask that  
19 the witnesses be separated.

20 THE COURT: State's position on that?

21 MS. BECKER: No objection, your Honor.

22 Detective Daggy would be our representative.

23 THE COURT: All right. Detective Daggy will be  
24 the state's representative. Ladies and gentlemen in the  
25 audience section, if any of you are witnesses or know

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1 yourself to be witnesses, you'll have to leave the  
2 courtroom at this time. Motion for separation is granted  
3 without objection.

4 BY MR. WILLIAMS:

5 Q Would you spell your last name for the court  
6 reporter?

7 A H-o-f-f-e-r.

8 Q And where do you reside?

9 A Elkhart, Indiana.

10 Q What's your occupation?

11 A I'm a certified nursing assistant/home health aide.

12 Q And where are do you work?

13 A Currently I'm working in Cass County Medical Care  
14 Facility in Cassopolis, Michigan.

15 Q Now, where did you work in November of 2002?

16 A I worked here in Elkhart up in Elkhart at Regional  
17 Home Health Care.

18 Q And what is Regional Home Health Care?

19 A Regional is a company that provides home health  
20 aides to go to client's homes to provide activities  
21 of daily living, which would be bathing, washing,  
22 laundry, some shopping, cooking, cleaning.

23 Q And how long did you work for them?

24 A And started September of that year.

25 Q So as of November 28, 2003 --

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1 countertop, you know, to lift it up and wipe  
2 underneath it. That was all.

3 Q I want to talk to you about the week of  
4 Thanksgiving of 2002. Do you recall when you  
5 saw -- when the last time was that you saw Helen  
6 before Thanksgiving?

7 A I was there on Wednesday before Thanksgiving and  
8 did her care.

9 Q Do you remember what you did for her?

10 A Showered her, dressed her. I don't remember if I  
11 did her laundry.

12 Q Did you see her on Thanksgiving?

13 A No.

14 Q Why is that?

15 A She denied care for Thanksgiving. She wanted the  
16 aides to be able to be home with their families.  
17 So she told Regional don't send anyone over. I  
18 want them home.

19 Q Did you attempt to contact her on Thanksgiving?

20 A Yes. Our policy was the night before we go to any  
21 client, we would call them to remind them that we  
22 were coming and what time we were coming.

23 Q What time were you going the next day?

24 A I was to be there at seven in the morning.

25 Q Describe what you did in your attempts to contact

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1 Helen?

2 A I started calling her about 8:45, got no response.  
3 I called I don't know how many times, eight to ten  
4 times at least between 8:45 and 9:15. And in  
5 getting no response our -- what we're supposed to  
6 do is call the nurse on call. I did that, and she  
7 said she's probably still out with her family, and  
8 I said I don't think so. It's just unusual for her  
9 to be out this late. I don't feel right. What  
10 should I do? Do you want me to go over there? And  
11 she said, no. Just give her a call in the morning  
12 before you go.

13 Q Let's go to the next day, which is Friday, November  
14 29. Describe what you did?

15 A Woke up and got ready for work, and I made the  
16 phone call in the morning probably around 6:30, and  
17 no response again. So I drove over there, and in  
18 order to get into the building you have to buzz a  
19 buzzer in the foyer and then the resident opens the  
20 lock from there apartment. And buzzed it a couple  
21 times, two times, and got no response, and there  
22 was a man in the -- I don't know what you call  
23 it -- inside the door that I knew from being in  
24 there all the times I was in there, and I said,  
25 could you open the door and let me in, and he knew

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1 me so he let me in, and I went right up to her  
2 apartment and started ringing the doorbell and got  
3 no response. This was five till seven when I got  
4 up to her apartment door.

5 Q Now, did she have a buzzer or did you knock?

6 A I would knock.

7 Q How long did you knock?

8 A I knocked for eight minutes; eight to ten minutes I  
9 stood knocking.

10 Q Was the door open?

11 A And I also called with my cell phone. I could hear  
12 the phone ringing, and the door was not -- the door  
13 was locked.

14 Q How -- describe the lock on the door?

15 A It was deadbolt lock.

16 Q How would -- how would you lock the door?

17 A Twist -- twist lock from the inside.

18 Q If you were leaving, would you have to lock it from  
19 the outside, do you know?

20 A You could lock it from the outside if you had a  
21 key.

22 Q All right. Now, you were knocking for eight to ten  
23 minutes, got no answer, called on your cell phone.  
24 What did you do next?

25 A I knew the lady that lived across the hall, so I

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1           went to her door, and she came to the door, and I  
2           asked her if she would happened to have Helen's  
3           cousin's phone number because I needed to get into  
4           the apartment and she did.

5       Q   Did you know her cousin?

6       A   I had seen them a couple of times.

7       Q   Do you know who they were, their names?

8       A   Larry and Carol Converse.

9       Q   Did they come to the apartment?

10      A   They came immediately. They were there within ten,  
11           15 minutes.

12      Q   Describe what happened after the Converses arrived?

13      A   Larry opened up the door and went in the apartment,  
14           and he says, "I found her. She's in here," and I  
15           immediately stepped around him cause he kind of  
16           backed off and saw where she was.

17      Q   Describe what you saw?

18      A   With her?

19      Q   Yes.

20      A   She was laying on her back, her right arm was  
21           extended out flat palm up, her teeth were on the  
22           floor, a little -- maybe a foot from her fingertips  
23           her lower plate, and her face was really dark  
24           modeled purplish reddish. She was swollen. Her  
25           body seemed swollen. She was a bigger woman, but

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1 she swollen.

2 Her pants were -- her slacks were down around  
3 her knees. She had a brief and her underwear on.  
4 Her blouse was pulled up to her breasts, and I  
5 just -- I knew she was gone, and I just -- I just  
6 only had taken one step into the room and saw the  
7 condition of the room and stepped back, and I  
8 called 911.

9 Q You mentioned Helen's teeth. Did she wear  
10 dentures?

11 A She wore dentures, yes.

12 Q Both upper and lower?

13 A Yes.

14 Q Did Helen ever wear anything around the neck?

15 A She wore what is called a *lifeline*. It's a black  
16 cloth cord with a little cream colored -- I think  
17 cream colored box that if they fell they could just  
18 grab that, and it wouldn't take much to push, and  
19 they would then get a call from a company asking  
20 them if they were all right, and did they need  
21 assistance.

22 Q You said there was a call button on this black  
23 cord.

24 A Yes.

25 Q Was anything else on this lanyard? Was it just the